

NYS ASSEMBLY

MARCH 30, 2021

A-Calendar, page 3. The Clerk will read.

THE CLERK: Assembly No. A01248-A, Rules Report No. 46, Peoples-Stokes, Gottfried, Lupardo, Solages, Hunter, Hyndman, Weprin, Pichardo, L. Rosenthal, Dinowitz, Jean-Pierre, Abinanti, Richardson, Hevesi, Walker, Vanel, Niou, Bichotte Hermelyn, Cahill, Epstein, Quart, Reyes, Dickens, Frontus, Cruz, Darling, Rodriguez, Fernandez, Bronson, De La Rosa, Fall, Carroll, Ramos, Benedetto, Simon, Kim, Aubry, Kelles, Burdick, Anderson, Forrest, Burgos, González-Rojas, Gallagher, Clark, Lunsford, Mamdani, Jackson, Meeks. An act in relation to constituting Chapter 7-A of the Consolidated Laws, in relation to the creation of a new Office of Cannabis Management, as an independent entity within the Division of Alcoholic Beverage Control, providing for the licensure of persons authorized to cultivate, process, distribute and sell cannabis and the use of cannabis by persons aged twenty-one or older; to amend the Public Health Law, in relation to the description of cannabis; to amend the Penal Law, in relation to the growing and use of cannabis by persons twenty-one years of age or older; to amend the Tax Law, in relation to providing for the levying of taxes on cannabis; to amend the Criminal Procedure Law, the Civil Practice Law and Rules, the General Business Law, the State Finance Law, the Executive Law, the Penal Law, the Alcoholic Beverage Control Law, the General Obligations Law, the Social Services Law, the Labor Law, the Family Court Act, and the Vehicle and Traffic Law, in relation to making conforming changes; to amend the Public Health Law, in

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will spend their money here. The bill creates a new Office of Cannabis Management to oversee adult use industry, as well as medical cannabis and CBD Hemp industries that are currently managed in the Health Department. There will be a five-member appointed cannabis control board to oversee the industry and the Office of Cannabis Management. The Governor will appoint the Chair who will function as the CEO of the Office of Cannabis Management. The Governor will have two other appointees in addition to the Chair; the Assembly and the Senate will have -- each have one appointment. The Office will be managed by an Executive Director appointed by the Governor who will report to the Board. There will also be a Chief Equity -- Equity Officer appointed by four members of the Board, and a Deputy Director of Health and Safety. There will be licensing of cultivators, processors, distributors, and retailers of adult use cannabis. Licenses also include cooperatives, micro-businesses, delivery, and on-site consumption.

The new law will provide assistance for social equity applicants such as MWBEs, distressed farmers, and disabled veterans, providing training, lower fees, mentoring, and low-cost loans. The goal of the program is to promote social equity and small business. The Board will be able to regulate big cannabis to provide a fair playing field for New York businesses. There will be a strict rule to prevent those under 21 from buying cannabis products, and regulations of advertising and packaging to protect our children. There will be environmental and energy use regulations.

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product and, unfortunately, there are people who are getting sick and not -- dying actually from purchasing marihuana on the street that has fentanyl in it. These things are -- are really sad, but it does happen. So this is a way, you know, an attempt to clean up an illicit market that takes advantage of people and push people towards a clean, consumer-based product.

MS. DICKENS: Thank you so much. Now one last question. The -- the MWBE component, because Black and Brown communities have been historically hit the hardest with drug abuse and marihuana being sold illegally in our communities. With the MWBE component of this, will this also help Black and Brown minorities and not just the big pharmaceutical companies from being able to participate in the -- in the sale or the manufacture or the growth of marihuana?

MRS. PEOPLES-STOKES: Yes. As mentioned earlier, colleague, there are ten different licenses that businesses can get and there is a goal in this legislation, not a requirement, not a mandate, but a goal that, you know, 50 percent of the businesses be equity for minorities or Minority- and Women-Owned Businesses, for disabled veterans, and/or for distressed farmers, including perhaps people who live in communities where there are these underground areas being sold. So yes, that is in place, and it is a workforce goal attached to this as well, so that, you know, people actually have access to some of the many jobs that are available.

MS. DICKENS: That's very interesting because in

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stakeholders and constituents stubbornly did the work to ensure that while introducing this growing industry to New Yorkers, the communities most impacted, most targeted by the Rockefeller Drug Laws are not left high and dry while the wealthy and connected just get high. Aside from the economic gains of the legal cannabis industry, this legislation provides 40 percent to community reinvestment grants that will fund job placement programs, mental health treatment, community banking, housing, financial literacy training and among other vital economic and social equity initiatives. Fifty percent of licenses will go to applicants from communities that have been most impacted by cannabis prohibition; MWBEs, struggling farmers and disabled veterans. And 100 percent of those convicted of low-level marihuana offenses will have their records automatically expunged. Cleared out. Mr. Speaker, it cannot, it cannot be understated the tectonic impact this will have on generations of Black and Latino families that are still recovering from the derivative prosecutions from a single marihuana arrest, probation and parole violations. Trauma caused by incarceration, the loss of jobs, homes and livelihoods. Now, I've heard marihuana been described as the gateway drug, and frankly, it is. But not to narcotics, but to the systematic over-policing, over-prosecution and over-incarceration of Black and Brown people. And finally with this legislation in our State we can move beyond that cruel history and restore some semblance of equity. That's what we're voting on today. Equity. Economic and social equity for all New Yorkers. So

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marketing, websites and staff. Across our district and the State, we'll create new businesses, new micro businesses and jobs. MRTA will jump start our State's economy with a focus on economic equity. The economic development impact of this bill is very important for this State, but at the core of my enthusiastic support is the long-overdue criminal and racial justice wins that this bill gives us. Statistically, White people, as you've heard today, are consuming just as much cannabis as Black and Brown people, but Black and Brown people are arrested for possession at a disproportionate rate. This is a huge historic win for all of New Yorkers and is a massive step in the direction of equity and repairs generation of systemic racial harm.

I am a proud cosponsor and I want to once again thank the sponsor for her eight years of diligence and dedication and all of those who worked on this including all of the amazing advocates. I support this bill and I urge all of my colleagues to do the same. Thank you.

ACTING SPEAKER J.D. RIVERA: Thank you.

Ms. Zinerman.

MS. ZINERMAN: Mr. Speaker, on the bill.

I want to thank Majority Leader Crystal Peoples-Stokes for her steadfast efforts to right a historic wrong and for carrying on her shoulders the hopes and dreams of families who have endured the devastating impacts of marihuana prohibition that has resulted in the incarceration of women, children and grandparents. For decades, young Black and Brown men and women from

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Bedford-Stuyvesant and Crown Heights were pushed to a system and handed long and unjust sentences in Upstate jails. Due to this historic disenfranchisement, many of my neighbors relied on marihuana to market -- the marihuana market to feed their families and to earn a living, as poverty has often driven people who were left out of the system into underground markets. With this bill, we, the New York State Legislature, seeks to correct this historic injustice. As we've come to know more about the cannabis plant and its medicinal properties, marihuana is now viewed in the same way that many of us have viewed it for generations; as medicine. Legalization of marihuana will bring in much-needed revenue as we work ourselves out of this economic crisis created by the coronavirus pandemic. Moreover, communities that were traditionally victimized because of their use of the plant can now explore pathways to entrepreneurship, using their knowledge base and experience in the marihuana market as a skill and a tool instead of a detriment to their own livelihood. The passage of the Marijuana Regulatory and Taxation Act will impact all of these constituencies that I now represent here in the Assembly.

As a proud cosponsor of this bill and member of the Committee on Aging, older adults who suffer from all kinds of debilitating diseases from arthritis to cancer will have greater and unfettered access to the healing properties of cannabis. As a member of the Committee on Agriculture, distressed and urban farmers will have a new crop and a readily-established consumer base to market their yield. As a member of the Committee on Labor, legalization will